

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA, <i>ex rel.</i>	)	
GREGG BECKER,	)	
	)	
Plaintiffs,	)	Civil Case No.: 3:17-cv-01040
	)	JUDGE TRAUGER
v.	)	
	)	
COMMUNITY HEALTH SYSTEMS, INC.,	)	
et al.,	)	UNDER SEAL
	)	
Defendants.	)	

**THE UNITED STATES' NOTICE OF CONSENT  
TO RELATOR'S VOLUNTARY DISMISSAL**

Pursuant to the False Claims Act (FCA), 31 U.S.C. §§ 3729-33, as amended, the United States, through its undersigned counsel, files this Consent to Relator's Voluntary Dismissal and states as follows:

On March 7, 2018, Relator Gregg Becker filed a Stipulation of Voluntary Dismissal. In the Stipulation, the Relator stated that the United States had no objection to this case being dismissed without prejudice. Under the FCA, *qui tam* actions may be dismissed only with the written consent of the Court and the Attorney General of the United States. *See* 31 U.S.C. § 3730(b). Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States of America, by its undersigned attorneys, hereby respectfully notifies the Court that the Attorney General consents to dismissal without prejudice.

The United States respectfully requests that its Memorandum in Support of United States' *Ex Parte* Motion for Extension of Time to Consider Intervention (D.E. 18) remain under seal and not be made public or served upon Defendant because such papers discuss the content and extent of the United States' investigation and are provided by law to the Court alone for the sole purpose

of evaluating whether the seal and time for making an election to intervene should be extended.

The United States further requests that all other pleadings be unsealed.

Respectfully submitted,

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Middle District of Tennessee

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### **CERTIFICATE OF SERVICE**

I hereby certify that on March 16, 2018, a copy of the foregoing the United States' Notice of Consent to Relator's Voluntary Dismissal was filed by e-mail with the Clerk's Office per instruction of the Court. A service copy was served via First Class U.S. Mail, postage prepaid, and/or via email on the following:

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Because this action is under seal pursuant to 31 U.S.C. §§ 3729-3733, as amended, Defendants have not been served with copies of the foregoing Motion. Moreover, to preserve the integrity of the United States' ongoing investigation, Relator's counsel have been served with copies of the Motion and Proposed Order, but not the Memorandum in Support of the United States' Motion because that document contains information concerning the government's ongoing investigation. *See* 31 U.S.C. § 3730(b)(3) (permitting in camera submissions in support of motions to extend the intervention and seal period).

s/Jason Ehrlinspiel  
JASON EHRLINSPIEL  
Assistant U.S. Attorney